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November 13, 1995

BY HAND DELIVERY

William F. Caton
Acting Secretary
Federal Communications Commission
Room 222
1919 M Street, NW
Washington, DC 20554

NOV 15 1995

Re: Written Ex Parte Presentation - PP Docket No. 93-253

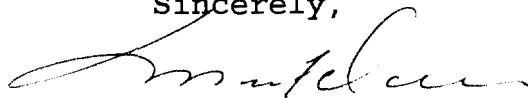
Dear Mr. Caton:

Cook Inlet Region, Inc. ("CIRI") hereby gives notice of a written ex parte presentation in the above-referenced proceeding. The presentation was made in the form of the attached letter.

CIRI delivered the attached letter to Chairman Hundt and to Commissioners Quello, Barrett, Chong, and Ness. CIRI also delivered the letter to individuals in the Office of the General Counsel, the Wireless Telecommunications Bureau, and the Auctions Division.

Two copies of the letter are submitted herewith pursuant to Section 1.1206(a)(1) of the Commission's Rules, 47 C.F.R. § 1.1206(a)(1) (1994).

Sincerely,



Mark F. Dever

Enclosures

cc: The Honorable Reed E. Hundt
The Honorable James H. Quello
(continued)

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DRINKER BIDDLE & REATH

William F. Caton
November 13, 1995
Page 2

The Honorable Andrew C. Barrett
The Honorable Rachelle B. Chong
The Honorable Susan Ness

William E. Kennard
Christopher J. Wright
Peter A. Tenhula
Ralph Haller
Rosalind K. Allen
Kathleen O'Brien Ham
Jackie Chorney
Jay Markley



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COOK INLET COMMUNICATIONS

November 13, 1995

Mr. Reed Hundt
Chairman
Federal Communications Commission
1919 M Street, NW
Room 814
Washington, DC 20554

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NOV 13 1995

TELETYPE UNIT
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

Dear Chairman Hundt:

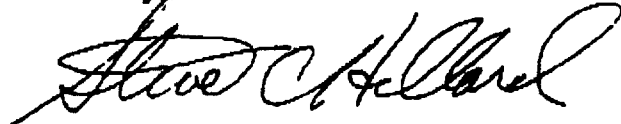
In light of last week's ruling by the Sixth Circuit Court of Appeals in the Radiofone case, I wanted to share with you the thoughts of Cook Inlet Region, Inc. regarding the C block PCS auction. Those thoughts are as follows:

- (1) Above all, the Commission should not delay the C block auction.
- (2) Instead, the Commission should adopt a three-point approach:
 - Announce publicly that it believes the cross-ownership and attribution rules (the "Rules") are correct and have ample support in the administrative record, that the Commission intends to pursue all legal appeals, and that the Commission will vigorously defend these Rules.
 - Allow a reasonable but limited accommodation of the small number of parties such as Radiofone who are affected by the Court decision and who might also qualify for the C block auction. This could be done by allowing a ten day window, beginning next week, to file and/or amend Form 175's for the C block auction for those specific BTA's as to which they would have been ineligible under the Rules.
 - Provide that parties such as Radiofone may bid in the auction, subject to final resolution of the Rules.
- (3) Delaying the auction is bad for a number of very practical as well as legal reasons:
 - Above all, such delay may well be the final, fatal blow to the economic prospects for the C block auction.

- Further delay of this auction will seriously undermine the integrity and reliability of the entire auction process in Congress, within the communications industry, and in the financial industry.
 - Further delay will be an encouragement for those who wish to further cloud the \$7-plus billion A and B block auction results. This will exacerbate current uncertainties and further hinder the roll-out of wireless competition.
 - Further delay will run afoul of impending Congressional legislation which will ratify all the C block rules as adopted by the Commission and which will mandate a December 11 auction date.
 - Further delay is not legally necessary – the Commission has not been enjoined by any court, and the Commission's rules have not been vacated. Under the accommodative approach outlined above and given the Supreme Court's recent ruling on the last stay, further judicial stays are unlikely.
- (4) As the party which has led the formation of an industry-wide group to support the Commission, litigated shoulder to shoulder alongside the Commission through every proceeding (including reversing the *Omnipoint* stay), and led the legislative effort to insure that the C block auction occurs, we believe that the above path will be successful.

I appreciate the opportunity to share our thoughts to you.

Sincerely,



Steve C. Hillard
Vice President

cc: Commissioner Quello
Commissioner Barrett
Commissioner Ness
Commissioner Chong
Roy M. Huhndorf, Chairman, CIRI
Carl Marrs, President, CIRI